

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	CONSENT ORDER OF
)	
Certificate of Thalia V. Best)	SUSPENSION
)	
Certificate # 129160)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 10, 2004. On November 20, 2003, the South Carolina Department of Education (Department) sent Ms. Thalia V. Best a notice of hearing before the State Board concerning the possible suspension or revocation of her South Carolina educator certificate number 129160 (certificate) by certified mail, return receipt, restricted delivery. Ms. Best received the notice as evidenced by a postal receipt bearing her signature. Ms. Best initially requested a hearing, but subsequently agreed through her attorney, L. Morgan Martin, Esquire, to a one-year suspension of her certificate, in lieu of a hearing. This suspension will be reported to the NASDTEC Clearinghouse and all South Carolina school districts. After considering the evidence presented, the State Board voted to accept the suspension of Ms. Best's certificate upon the terms set forth above.

Ms. Best holds a valid South Carolina certificate with over twenty-two years of teaching experience in the Horry County School District (District). She was under contract with the District for the 2002-2003 school year as a child development teacher at Aynor Elementary School. Ms. Best was suspended effective May 22, 2003, following an investigation by the District into allegations that she violated the corporal punishment policy of the District by spanking a student on May 21, 2003. Ms. Best did not return to work and resigned from her position, effective January 16, 2004. Ms. Best did admit to swatting the student out of frustration because he had soiled his pants, but denied she struck him hard enough to leave any marks. The District received a prior complaint about Ms. Best spanking another student in October 2002, but found no cause for taking action. Ms. Best stated that she did not spank this child but did tap her during naptime to get her to roll over. She agreed, at the parent's request, not to have any physical contact with this student again.

Thalia V.
Best #
129160

Initials

Date

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (1990). Just cause includes “Unprofessional conduct ...and Evident unfitness for the position for which employed.” S.C. Code Ann. § 59-25-160 (1990). The State Board finds that the preponderance of the evidence presented supports its decision to accept the voluntary suspension of Ms. Best’s certificate # 129160, from January 16, 2004, through January 15, 2005.

South Carolina State Board of Education

By: /S/ Mary E. Jones

Dr. Mary Jones

Chair

Columbia, South Carolina

February 10, 2004

I, Thalia V. Best, SC Teaching Certificate # 129160, do hereby agree to the proposed Consent Order of Suspension, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, February 10, 2004, for approval.

/S/Thalia V. Best 2/6/04
Thalia V. Best Date